



November 18, 2004

Subject: The Land Development Ordinance Committee

The Land Development Ordinance Committee (LDOC) met Thursday, November 18, 2004 in the Council Chamber at City Hall to discuss rewriting Salisbury's ordinance code. In attendance were Bill Burgin (Co-chair), George Busby, John Casey, Ronald Fleming, Mark Lewis (Co-chair), Edward Norvell, Johnny Safrit, Jeff Smith, Bill Wagoner, Victor Wallace, Dee Dee Wright, and Diane Young.

Staff Present – Janet Gapen, Jeff Jones, Dan Mikkelson, Preston Mitchell, Diana Moghrabi, David Phillips, Lynn Raker, Patrick Ritchie, and Craig Lewis (Lawrence Group).

Michael Lippard, 322 E. Council Street, represented the public.

The meeting was called to order with Bill Burgin, Co-chair, presiding. The minutes of the October 7 meeting were accepted as written. Mr. Burgin welcomed the committee and guests.

Note: Due to the overwhelming number of scheduling conflicts of the committee members, the October 21 meeting was cancelled.

Janet Gapen gave a district mapping presentation of the City, which revealed how the 18 map tiles translated in a “direct conversion” to the new code. The mapping committee and staff met on a number of occasions in the past few weeks to compare the future zoning against those uses that currently exist in each map tile. Small area studies could help rectify any conflicts.

Some parcels could be converted to more than one zoning district, and these exceptions must be reviewed on an individual basis. Downtown Salisbury, Inc. could compare the conversion to the Downtown Master Plan, and speak to property owners. It would be better to discover the desires of the property owners now instead of the committee imposing zoning on them later. Of particular interest to the LDOC were the Ketner Warehouses, which are located near The Depot.

A lively discussion concerning uses, names of districts and present conflicts filled the Council Chamber. It was decided that a subcommittee should study the Use Matrix before Chapter 2 can be considered finished. Members of the subcommittee include Mark Lewis (Chair), Victor Wallace, Diane Young, George Busby and Rodney Queen. Craig Lewis cautioned that the committee should avoid “split zoning”, and suggested that renaming or tweaking is better than adding zones. Preston asked Craig to get with him on Residential vs. Office Mixed Use.

The committee did not schedule a meeting time, but promised to report to the LDOC at the December 16 meeting.

Due to an issue before City Council this week the subcommittee will also address Conditional Uses in an effort to prevent similar situations in the future. (Street noise generated by patrons leaving the 315 Bar disturbs residents across the street in the Cheerwine Building.)

As discussed in the October 7 minutes, the committee is waiting for more information from staff concerning the future of utilities in the A-1 district before recommending density. They would like to see locations of floodplains, steep slopes, and aerial photos. The committee is interested in the location of existing water and sewer lines. Janet Gapen will follow up with the Utility Department.

The committee then moved to discussing staff's role in the future of architectural reviews. A checklist was discussed in the effort to streamline the process. It was suggested that this is mostly administrative and not legislative. The committee had many thoughts on whether the appearance of structures should be dictated. The effort is directed at solving bad infill housing, to create consistency in neighborhoods concerning rooflines and setbacks. Craig reminded the committee that architectural review could be eliminated.

Another case, this time before the Planning Board on November 9, prompted a discussion on subdivision standards in the Extra Territorial Jurisdiction (ETJ). Dan Mikkelsen reviewed the details of the case, the present standards, and stated that the Planning Board voted to uphold the standards and did not grant relief from items requested by the developer, Spencer Lane. Was this the best decision for this property, and should the committee re-evaluate standards for the ETJ?

Lastly, a proposal for a committee recommendation concerning whether the County should be asked to zone a ring of T-1 and/or T-2 around the City's jurisdiction. T-1 is a natural zone primarily for farming and open space preservation. T-2 is a rural zone where lots are 1-acre or larger, and streets do not have curb, gutter or sidewalks. The time had moved past six o'clock so this item will be addressed at the next meeting.

Craig confirmed that the following chapters are endorsed by the committee: Chapters 1, 16, 17, 18, and 19. Chapters 2, 3, 4, and 5 should be submitted as one package. He did not feel that any more chapters should be introduced at this meeting.

The next LDOC meeting will be December 2, 2004.

dm